

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of

Redesignation of the 17.7-19.7 GHz  
Frequency Band, Blanket Licensing of  
Satellite Earth Stations in the 17.7-20.2  
GHz and 27.5-30.0 GHz Frequency Bands,  
and the Allocation of Additional Spectrum  
in the 17.3-17.8 GHz and 24.75-25.25 GHz  
Frequency Bands for Broadcast Satellite-  
Service Use

IB Docket No. 98-172  
RM-9005  
RM-9118

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**COMMENTS OF SBC COMMUNICATIONS, INC.**

Pursuant to the Public Notice released on November 20, 1998,<sup>1</sup> SBC Communications, Inc., on behalf of its affiliates ("SBC")<sup>2</sup> hereby comments on the Petition for Interim Relief filed by the Fixed Point-to-Point Communications Section, Wireless Communications Division of the Telecommunications Industry Association and the Emergency Request for Immediate Relief filed by the Independent Cable and Telecommunications Association. Both filings seek to have the Commission withdraw its "freeze" announcement in Paragraph 40 of the Notice of Proposed Rulemaking in the Matter

<sup>1</sup> Commission Staff Seek Comment on Pleadings Filed in IB Docket No. 98-172 Redesignation of the 17.7-19.7 GHz Frequency Band, RM-9005, RM-9118, Public Notice, released November 20, 1998, DA 98-2344.

<sup>2</sup> SBC Communications Inc. ("SBC") is the parent/holding company of various subsidiaries conducting business under federal licenses. These subsidiaries include Southwestern Bell Telephone Company ("SWBT"), Pacific Bell Telephone Company ("Pacific Bell"), Nevada Bell Telephone ("Nevada Bell"), and various wireless carriers including Southwestern Bell Mobile Systems, Inc. ("SBMS"), and Southwestern Bell Wireless Inc. ("SWBW") and Pacific Bell Mobile Services ("PBMS"). The abbreviation "SBC" shall be used herein to include each of these subsidiaries as appropriate in the context.

of Redesignation of the 17.1-19.7 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the 17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands, and the Allocation of Additional Spectrum in the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency Bands for Broadcast Satellite-Service Use, IB Docket No. 98-12, RM-9005, and RM-9118 ("NPRM").

The announcement states that as of the date of the NPRM, September 18, 1998, new terrestrial fixed service applications in the 18.3-18.55 GHz and 18.8-19.3 GHz bands will be only granted secondary status.<sup>3</sup>

SBC strongly supports the request that the Commission withdraw this section of paragraph 40 immediately. The paragraph has the effect of basically implementing part of the Commission's proposal in the NPRM without notice and comment. Also, it is unclear if the Commission's language means that applications to modify existing stations that are filed after September 18, 1998 automatically result in secondary status. If that is the case, filings to correct data would result in the loss of primary status. In any case, the policy has a serious and unfair impact on fixed service licensees. The Commission should not adopt any new licensing policies until the proceeding is completed.

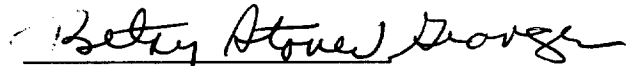
SBC respectfully requests that the Commission act quickly to rectify this unfair situation and issue an order rescinding that part of Paragraph 40 of the NPRM.

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<sup>3</sup> NPRM, para. 40.

Respectfully submitted,

SBC Communications, Inc.



Betsy Stover Granger  
Pacific Bell Mobile Services  
Its Senior Counsel  
4420 Rosewood Drive, 4<sup>th</sup> Floor  
Pleasanton, California 94588  
Phone: (925) 227-3140  
Fax: (925) 227-3079

Carol L. Tacker  
SBC Wireless, Inc.  
Its Vice President & General Counsel  
17330 Preston Road, Suite 100A  
Dallas, TX 75252  
Phone: (972) 733-2005  
Fax: (972) 733-2021

Robert M. Lynch  
SBC Telecommunications Inc.  
Its Senior Vice President &  
General Counsel  
175 E. Houston, Suite 1250  
San Antonio, TX 78205

Durward D. Dupre  
SBC Communications Inc.  
Its Vice President & Associate  
General Counsel  
One Bell Plaza, Suite 3703  
Dallas, TX 75202

December 21, 1998